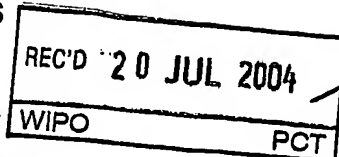


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10/531717

RAPPORT D'EXAMEN PRÉLIMINAIRE INTERNATIONAL



(article 36 et règle 70 du PCT)

(Rapport rationalisé d'après le communiqué du président de l'OEB publié au JO 11/2001)

Référence du dossier du déposant ou du mandataire XPROB0250	POUR SUITE À DONNER Voir la notification de transmission du rapport d'examen préliminaire international (formulaire PCT/IPEA/416)	
Demande internationale n° PCT/FR03/02977	Date du dépôt international (jour/mois/année) 09/10/2003	Date de priorité (jour/mois/année)
Classification internationale des brevets (CIB) ou classification nationale et CIB G01N21/72		
Déposant PROENGIN et al.		

1. Le présent rapport d'examen préliminaire international, établi par l'administration chargée de l'examen préliminaire international, est transmis au déposant conformément à l'article 36.


2. Ce **RAPPORT** comprend 2 feuilles, y comprise la présente feuille de couverture.

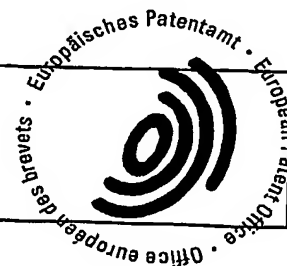
☐ Il est accompagné d'ANNEXES, c'est-à-dire de feuilles de la description, des revendications ou des dessins qui ont été modifiées et qui servent de base au présent rapport ou de feuilles contenant des rectifications faites auprès de l'administration chargée de l'examen préliminaire international (voir la règle 70.16 et l'instruction 607 des Instructions administratives du PCT).

Ces annexes comprennent _____ feuilles.

3. Le présent rapport contient des indications relatives aux points suivants:

- I ☒ Base du rapport
- II ☐ Priorité
- III ☐ Absence de formulation d'opinion quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle
- IV ☐ Absence d'unité de l'invention
- V ☒ Déclaration motivée quant à la nouveauté l'activité inventive et la possibilité d'application industrielle; citations et explications à l'appui de cette déclaration
- VI ☐ Certains documents cités
- VII ☐ Irrégularités dans la demande internationale
- VIII ☐ Observations relatives à la demande internationale

Date de présentation de la demande d'examen préliminaire international 24/02/2004	Date d'achèvement du présent rapport 14/07/2004
Nom et adresse postale de l'administration chargée de l'examen préliminaire international  Office Européen des Brevets D-80298 Munich Tel. (+49-89) 2399-0, Tx: 523656 epmu d Fax: (+49-89) 2399-4465	Fonctionnaire autorisé TREPP E A Tel. (+49-89) 2399 2828



I. Base du rapport

Le présent rapport d'examen préliminaire international se base sur la demande telle que déposée initialement.

V. Déclaration motivée selon la règle 66.2.a (ii) quant à la nouveauté, l'activité inventive et la possibilité d'application industrielle

A la lumière des documents cités dans le rapport de recherche internationale, il est considéré que l'invention telle que définie dans les revendications répond aux critères énoncés à l'article 33.1 PCT, c'est-à-dire qu'elle est nouvelle, qu'elle implique une activité inventive et qu'elle est susceptible d'application industrielle.

PATENT COOPERATION TREATY

PCT

REC'D 14 OCT 2004

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 548.0001PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US03/34493	International filing date (day/month/year) 21 October 2002 (21.10.2003)	Priority date (day/month/year) 20 November 2002 (20.11.2002)
International Patent Classification (IPC) or national classification and IPC IPC(7): 585/1, 13; 208/14, 18, 19 and US Cl.: C10L 1/00; C10G 71/00; C10M 169/00		
Applicant CHEVRON U.S.A INC.		
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>0</u> sheets.</p> <p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of report with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application 		
Date of submission of the demand 05 May 2004 (05.05.2004)		Date of completion of this report 31 May 2004 (31.05.2004)
Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230		Authorized officer <i>C. Caldwell Jr</i> Glenn Caldarola Telephone No. (703) 308-0661

CORRECTED
VERSION

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International Application No.
PCT/US03/34493

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed.
- ☒ the description:
pages 1-32 as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☒ the claims:
pages 33-36, as originally filed
pages NONE, as amended (together with any statement) under Article 19
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☐ the drawings:
pages NONE, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.
- ☐ the sequence listing part of the description:
pages NONE, as originally filed
pages NONE, filed with the demand
pages NONE, filed with the letter of _____.

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

- These elements were available or furnished to this Authority in the following language _____ which is:
- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages NONE
- ☐ the claims, Nos. NONE
- ☐ the drawings, sheets/fig NONE

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International Application No.
PCT/US03/34493

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

Novelty (N)

Claims 1-24 YES
Claims NONE NO

Inventive Step (IS)

Claims 1-24 YES
Claims NONE NO

Industrial Applicability (IA)

Claims 1-24 YES
Claims NONE NO

2. CITATIONS AND EXPLANATIONS

Claims 1-24 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest a product and a process for blending a Fischer-Tropsch distillate with a base oil wherein the distillate and the base oil have characteristics as called for in claims 1, 10, and 21.

----- NEW CITATIONS -----